

# *Actions Speak Louder than Words*

communication and language assistance =  
services for everyone



# Objectives

- Define communication and articulate the importance of communication in human services.
- Explore how limited English proficiency impact effective communication.
- Tools and techniques that help cross communication barriers
- Ways to plan for effective communication



**Principal  
Standard**

**Governance,  
Leadership, and  
Workforce**

**Communication  
and Language  
Assistance**

**Engagement,  
Continuous  
Improvement,  
and  
Accountability**



Offer language assistance to individuals who have limited English proficiency and/or other communication needs, at no cost so as to facilitate timely access to all health care and services.

Inform all individuals of the availability of language assistance services clearly and in their preferred language, verbally and in writing.

Ensure the competence of individuals providing language assistance, recognizing that the use of untrained individuals and/or minors as interpreters should be avoided.

Provide easy-to-understand print and multimedia materials and signage in the languages commonly used by the populations in the service area.



*The CLAS Standards really bolster the work that we do because they reflect the fact that effective communication is not only a matter of spoken language but it's a matter of culture as well.*

**LEON RODRIGUEZ**

Director of the Office for Civil Rights  
U.S. Department of Health and Human Services



FAILING TO  
**Plan**  
is  
PLANNING TO  
**FAIL**





# How do we define communication?

- Direct meetings and conversations
- Our dress, body language, and greetings
- Telephone, e-mail, memos, and letters
- Brochures (ours and others we share with individuals we serve)
- How we interpret plans, orders, directions, or decisions
- Information on websites
- Referrals to or from other services
- Navigation around facilities

*Every way  
in which we  
discuss,  
receive, or  
convey  
information*



# It's Important!

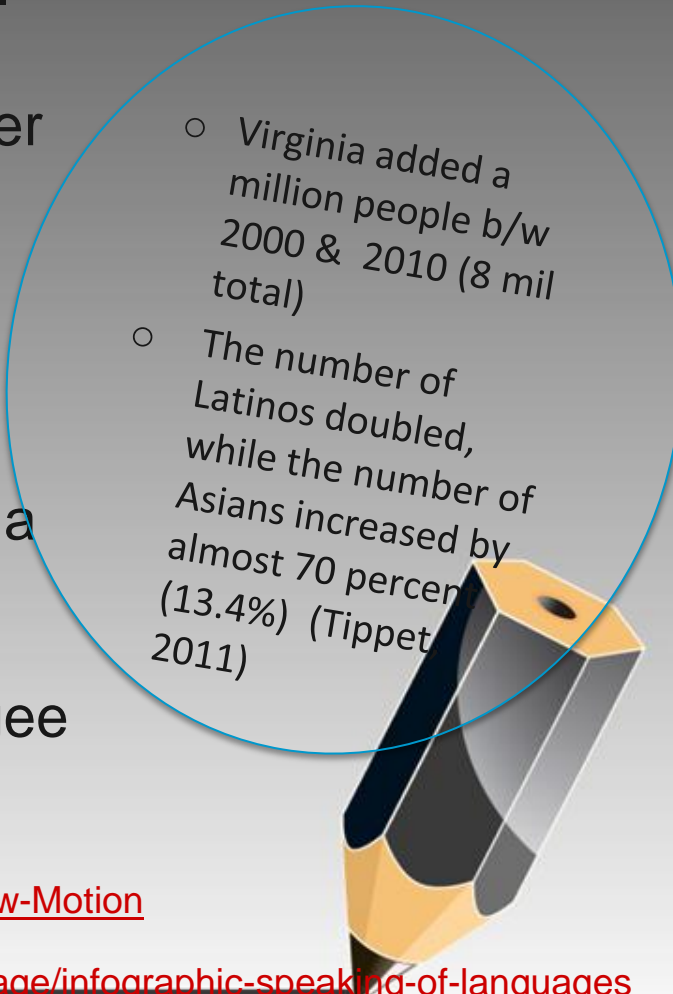
- Effective communication can help lead to positive outcomes
- Better use of the system
- Fairer outcomes
- Quicker resolution
- Stronger relationships
- Poor communication can encourage negative outcomes
- Misunderstandings of what is needed
- Individual difficulty in following instructions
- Understanding of plans and, ultimately, both the actual and perceived fairness





# It's Important!

- Demographic Changes
- Over 350 languages are spoken in the U.S.
- More than 47 million speak a language other than English
- Over 30 million who were born outside the United States
- Over 17% of the nation's population speak a language other than English at home.
- Virginia is one of the top 15 states for refugee resettlement.

- 
- Virginia added a million people b/w 2000 & 2010 (8 mil total)
  - The number of Latinos doubled, while the number of Asians increased by almost 70 percent (13.4%) (Tippet 2011)

<http://www.pewresearch.org/next-america/#Two-Dramas-in-Slow-Motion>

<http://www.slideshare.net/TransparentLanguage/infographic-speaking-of-languages>

The interpreter  
would like to say...

The capacity of an organization and its personnel to communicate effectively, and convey information in a manner that is easily understood by diverse audiences including persons of limited English proficiency, those who have low literacy skills or are not literate, and individuals with disabilities.

### An example of a translated form

**E DÀNH CHO NHÂN VIÊN Y TÁU/ FOR NURSING STAFF ONLY**

\_\_\_\_\_ Vaccine Manufacturer and Lot #. \_\_\_\_\_

☐ L    ☐ R    ☐ Other \_\_\_\_\_

1<sup>st</sup> / 2<sup>nd</sup> (circle one)

strator: \_\_\_\_\_ Date:     /     /

☐ Entered into Logic.

NH CHO NHAÂN VIÊN NĂNG KỸ/ FOR REGISTRATION STAFF

copy of card)

ment to be made at time of registration)

tôn Anh Ngữ sang Việt Ngữ càng chính xác càng tốt. Nhiều tôn, thừa tự ngữ, ngôn ngữ khác. Vì vậy, tài liệu này khoảng phải là bản sao chính xác tôn thích nào khó hiểu hay khoảng rõ ràng, xin hãy nhớ thông dịch viên hỏi nhà và vì vậy chúng tôi có thể biết chắc rằng quý và hiểu được nội dung. Xin

# Civil Rights Act of 1964

The Civil Rights Act of 1964 says that no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination based on race, gender, ethnicity or national origin under any program or activity receiving Federal financial assistance."

**Organizations are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.**

The Guidance explains that the obligation to provide meaningful access is fact-dependent and starts with an individualized assessment that balances four factors:

- 1. Number or Proportion of LEP Individuals**
- 2. Frequency of Contact With the Program**
- 3. Nature and Importance of the Program**
- 4. Resources Available**

# Americans with Disabilities Act

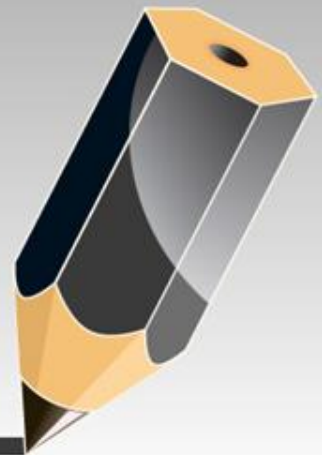
DOJ regulations state that public entities *must “take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities **are as effective as communications with others.**”* 28 C.F.R. § 35.160(a).

The public entity must “furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability **an equal opportunity to** participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity.” 28 C.F.R. § 35.160(b).

The public entity must also give “primary consideration” to the **individual’s preference** with respect to choosing the type of auxiliary aid or service to provide to ensure effective communication. 28 C.F.R. § 35.160(c).

# What are Language Access Services?

- Individuals Right to Know
- Interpreting
- Translation
- Assistive Technology/Communication Tools
- Signage
- Way-finding
- Community Involvement
- Training



TeamSTEPPS™

LEP

## The Story of Willie Ramirez

### Results of not having an appropriate interpreter:

- Misunderstanding of "intoxicado"
- Inaccurate medical history
- Cultural deference to authority
- Quadriplegic teen
- \$71 million lawsuit

TeamSTEPPS 2006

I would tell the doctor  
'okay,' but I didn't  
understand anything  
[about taking my  
medications].'

Youdelman, Mara and Jane Perkins. 2002. *Providing Language Interpretation Services in Health Care Settings: Examples from the Field*,

### Could This Happen To You?

- LEP parents of infant patient - Adult sibling of one parent used to interpret informed consent and other communications.
  - Tragic outcome to surgery
  - Medical Malpractice + Title VI Lawsuit - 2010
  - Out of Court Settlement – Multi-Million Dollar
- NO INFORMED CONSENT w/o Qualified Interpreter**

Federal Compliance Consulting LLC and Bruce L. Adelson, 2013

[https://cccdpcr.thinkculturalhealth.hhs.gov/AudioPlayer/AudioPlayer.asp?AudioFileName=17\\_3-4-2.mp3](https://cccdpcr.thinkculturalhealth.hhs.gov/AudioPlayer/AudioPlayer.asp?AudioFileName=17_3-4-2.mp3)

Speaking in  
Tongues  
Video





Necesito asistencia en español.  
Por favor necesito un intérprete y que quede registrado  
para toda comunicacion futura que hablo español.

La ley de distrito establece que las agencias deben brindar la informacion necesaria y ofrecer la asistencia correspondiente en su idioma en gratuita. Si no recibe ayuda en su idioma, comuniquese con la Oficina de Derechos Humanos del DC al teléfono 202-727-4559 y presione el número 3.

 **我说的是汉语普通话。**

在口述交流过程中，我有需要并且有权利接受帮助。请为我配备一位译员并在记录中说明在日后的交流中我将使用汉语普通话。

法律规定相关机构必须免费向您提供语言方面的信息与帮助，消除交流障碍。如果您未得到相关帮助，请联系哥伦比亚区人权办公室，电话：202 - 727 - 4559，接通后按 0。

 **Office of Human Rights**  
DISTRICT OF COLUMBIA  
[www.ohc.dc.gov](http://www.ohc.dc.gov)

 **አምናገረው አማርኛ ነው።**

አርዳታ ያስፈልገኛል። በምናገረው ቋንቋ አርዳታ የማግኘት መብትም አለኝ። አስተርጓሚ ያቅርቡልኝ። ወደፊትም ለማድረጋቸው ግንኙነቶች ሁሉ በአማርኛ እንደምናገር መዝገብዎ ላይ ያስፍሩ።

የመንግስት መስሪያ ቤቶች በቋንቋዎ መረጃና አርዳታ በነፃ እንዲያቀርቡልዎታል። “ዲስትሪክቱ” ህግ ያዘል። በቋንቋዎ አርዳታ ካገኙ፣ እባክዎ ለ “ዲስትሪክቱ” የሚገኙትን ቁጥር 202-727-4559 ያስጠብቁ።

 **Tôi nói tiếng Việt.**

Tôi cần sự trợ giúp và tôi có quyền được nhận sự trợ giúp trong ngôn ngữ tôi nói. Xin hãy cung cấp cho tôi một thông dịch viên, và ghi và lưu trữ rằng tôi sẽ nói tiếng Việt trong mọi lần giao tiếp trong tương lai.

Định luật của Quận quy định rằng mọi cơ quan phải cung cấp miễn phí cho tôi những thông tin và trợ giúp bằng ngôn ngữ của quý vị. Nếu quý vị không nhận được sự trợ giúp bằng ngôn ngữ của quý vị, xin gọi số 202-727-4559 và nhấn số 0 để nối với Văn Phòng Nhân Quyền của DC.

 **Office of Human Rights**  
DISTRICT OF COLUMBIA

Individual's Right to Know

# Untrained Interpreters

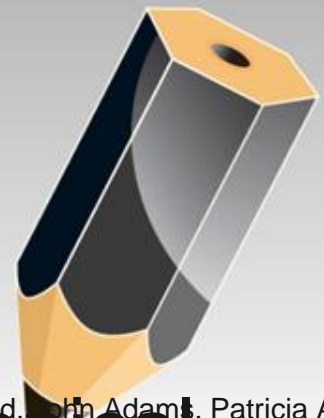


<https://www.youtube.com/watch?v=R2NcwrPZBLM&list=FLfRTUEdkholhvlHPGSUXblg&index=53>

- **52% Omission**
- **16% False Fluency**
- **13% Substitution**
- **10% Editorialization**
- **8% Addition**

# Trained Interpreters

- National Cancer Institute study
- Trained interpreters:
  - Accurately interpreted most (74%) of the conversation  
(Range: 47%-98%)



- Had higher accuracy during non-technical

Danielle E Rose, Diana M Tisnado, Jennifer L Main, May L Tao, Melinda A Maggard, John Adams, Patricia A

Guizika, Katherine L Kahn. 2010.

# Children as Interpreters







# Translation

getting it right

A guide to buying translations

*ata*  
american  
translations  
association

## Translation

- What languages?
- Who can do this?
- Costs?
- Who can review this?
- Who can coordinate?
- What about forms?

## Language Support

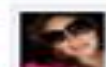
Darci L. Graves, MA, MA - University of Maryland-Baltimore County



Add a caption

Added October 23 · Like · Comment

 Kate Peeples Brown likes this.



**Juana Jeanneth Rodriguez** Nany ya esta muy grandeee ya no es la bb q banaba y le limpiaba y le daba sopa en su boca mmmm como me acuerdo d eso aaaayyyy extrano ala nataly de antes una bb q yo kuidava antes mmmm q lastima q vuela el tiempo !!!:)

Saturday at 9:47am · Like



**Kate Peeples Brown** Yeah, what Juana said!

15 hours ago · Unlike ·  1 person

From your album:  
Mobile Uploads

Uploaded via:  
Facebook for Android



Share

Tag This Photo

Edit This Photo

Delete This Photo

Make Profile Picture

[Kate](#) sent you a message.



**Kate Peeples Brown** November 14, 2010 at 9:30pm

Subject: What Juana said...  
...according to Google Translate:

Nany already very grandeee is no longer the bb q wiped and bathed and gave him soup in your mouth mmmm d how I remember that strange aaaayyyy nataly wing before I kuidava a bb before mmmm q q q sorry time flies! :)

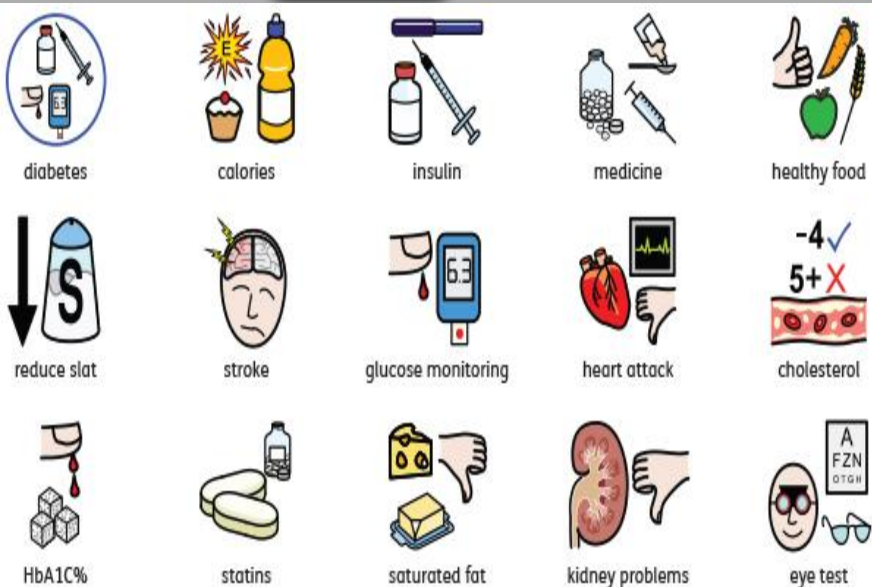
I get the gist anyway! :-)



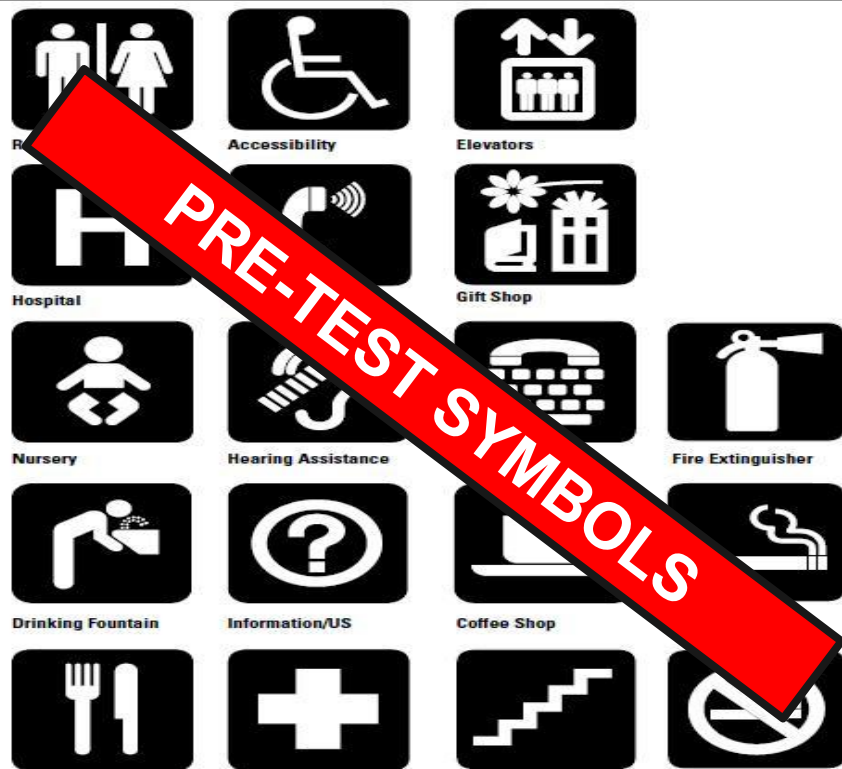
# Wong-Baker FACES Pain Rating Scale in English and Spanish



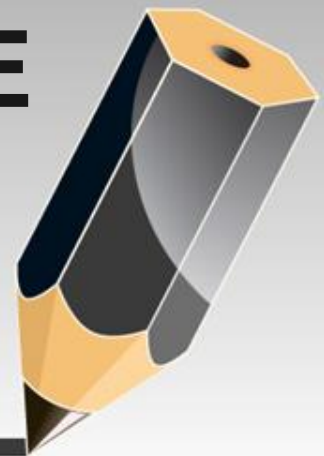
Universal symbol for waiting room



Graphic Material



# PLANNING FOR EFFECTIVE COMMUNICATION



# What makes an organization linguistically competent?

Offer TTY and other assistive technology devices

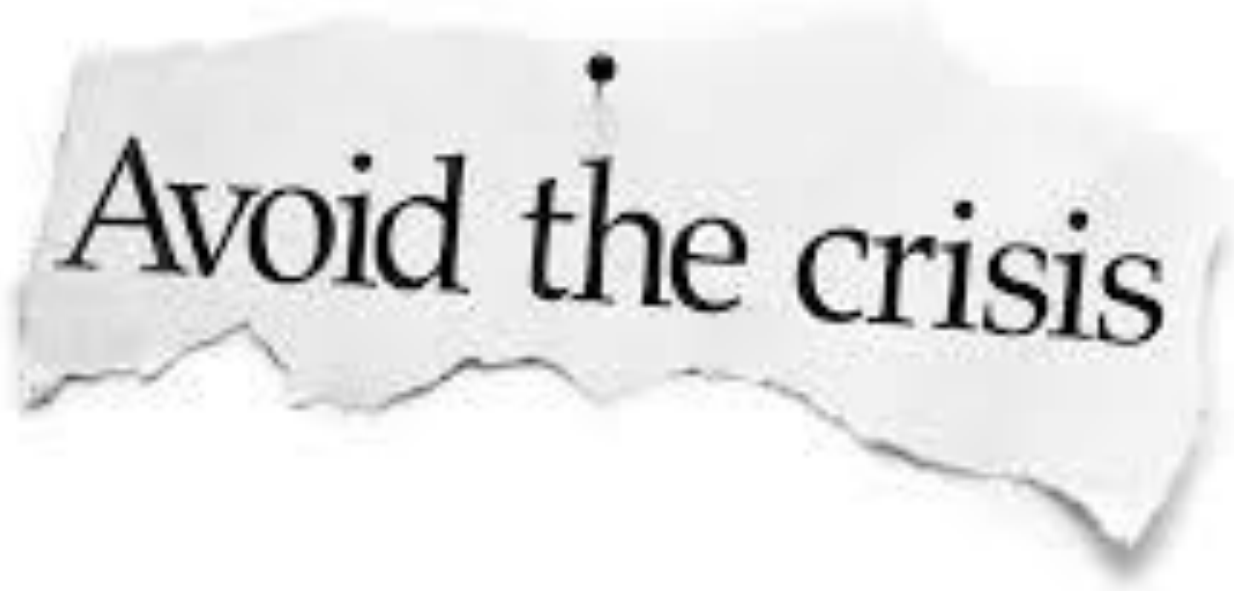
Offer materials in Alternative formats (e.g., audiotape, Braille, enlarged print )

Do we have policies in place regarding the use of interpreters and train staff on how to access and work with them.

Use qualified translation services especially for legally binding documents

Print materials in easy to read, low literacy, picture and symbol formats

Understand how and when language selection happens for individuals who speak more than one language.

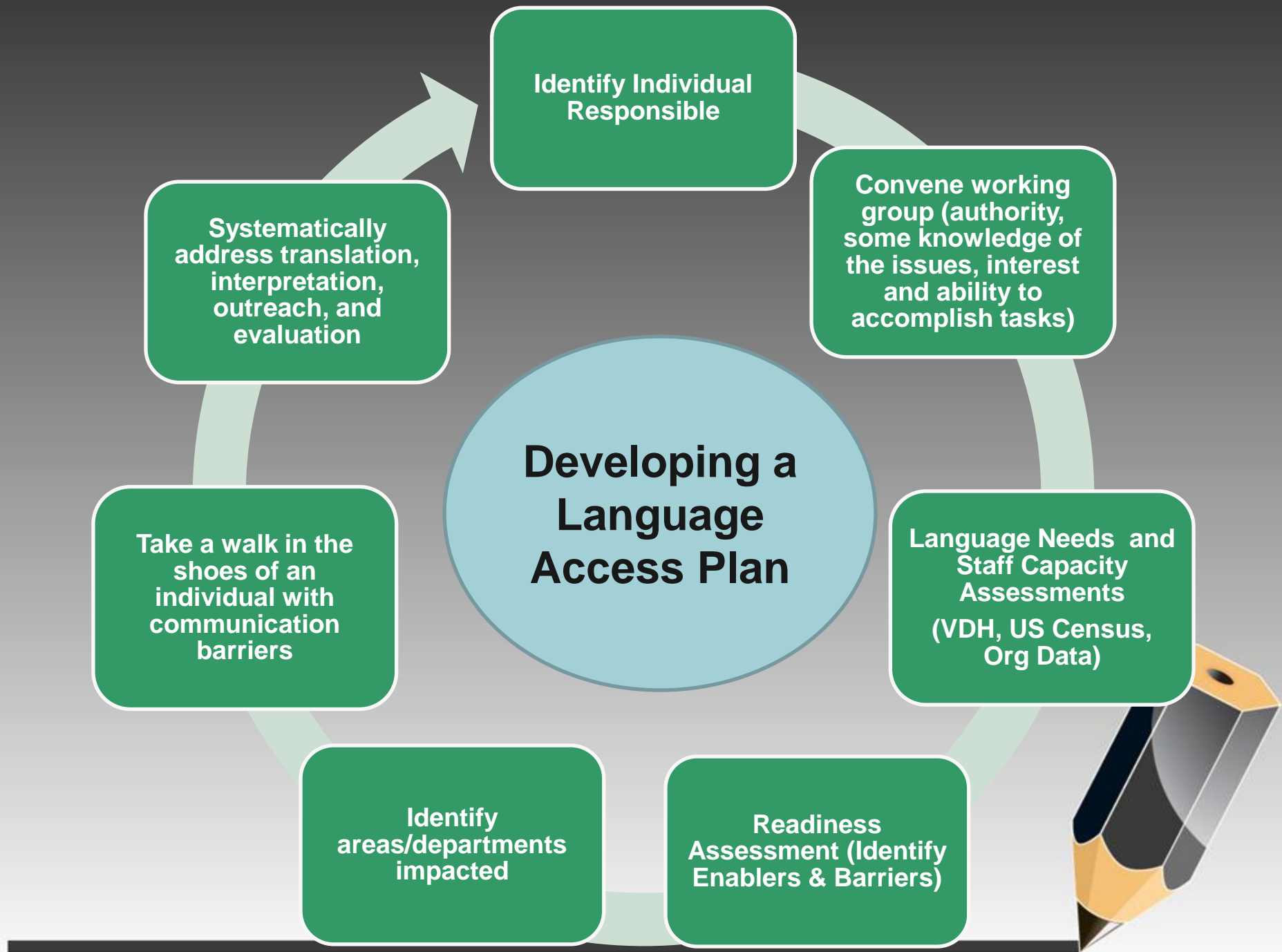


Avoid the crisis

## To Do List

To Do List		Deadline
Check When Completed	Task	
<input type="checkbox"/>	MISSION CRITICAL	
<input type="checkbox"/>	INCLUDE IN ANNUAL BUDGET	
<input type="checkbox"/>	TRAIN ALL STAFF ON THE POLICY AND HOW TO WORK WITH LANGUAGE PROVIDERS	
<input type="checkbox"/>	CONSIDER A DIFFERENTIAL FOR BILINGUAL STAFF	
<input type="checkbox"/>	REQUIRE TESTING AND TRAINING FOR BILINGUAL STAFF	

# Sustaining Language Access Services







# Creating Your Language Services Toolbox



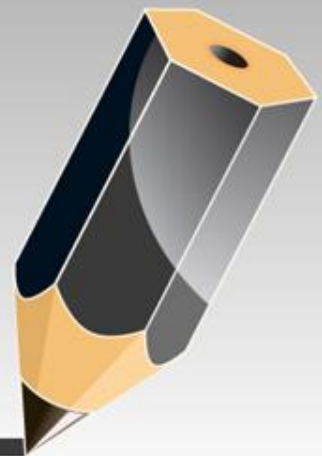
# LANGUAGE ACCESS COORDINATOR

## Sample Duties

- Identify qualified interpreters and translators to be included in interpreter database;
  - Create interpreter, bilingual staff, and translator qualifications standards;
  - Outline measures to ensure quality control of interpreters and translators;
  - Develop a pay structure for contract language
- Train and test or contract with appropriate agencies to train and test bilingual individuals including staff who perform language assistance services;
  - Develop a procurement strategy for contract language assistance services providers.
  - Provide input in budgetary and procurement matters related to implementation of the language access policy, plan, and

# LAP Template

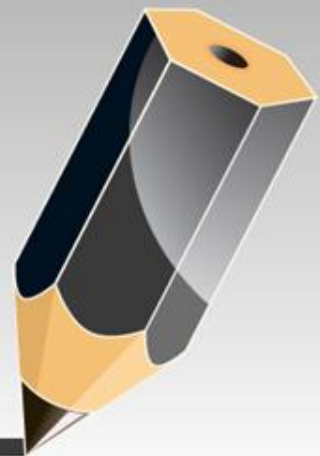
- Introduction
- Purpose
- Identification of Coordinator
- Language Access Needs Assessment
- Language Resources Assessment
- Language Service Protocols
- Vital Document Translations
- Stakeholder Consultations
- Staff Training
- Notice to Public
- Agency Monitoring





**The single  
biggest problem  
in communication  
is the illusion  
that it has  
taken place.**

**-George Bernard Shaw**



# Resources

- National Standards for Culturally and Linguistically Appropriate Services
- <https://www.thinkculturalhealth.hhs.gov/content/clas.asp>
- Center for Plain Language
- <http://centerforplainlanguage.org>
- LEP Federal Interagency Website
- <http://www.lep.gov>
- National Center for Cultural Competence
- <http://www11.georgetown.edu/research/gucchd/nccc>
- Health Resources and Services Administration
- <http://www.hrsa.gov/publichealth/healthliteracy/>
- DHHS Office of Minority Health
- <http://minorityhealth.hhs.gov/>
- SAMHSA Office of Behavioral Health Equity
- <http://www.samhsa.gov/about/obhe.aspx>

